

ORDINANCE NO. 2011-7

AN ORDINANCE TO AMEND CHAPTER 90, ARTICLE XI EXCEPTIONS AND CONDITIONAL USES, SECTION 90-836 EXPIRATION OF EXCEPTION USE PERMITS; TO PROVIDE FOR THE REPEAL OF CONFLICTING ORDINANCES OR SECTIONS; AND TO PROVIDE FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the Mayor and Council of the City of Wayne, Nebraska:

Section 1. That Chapter 90, Article XI Exceptions and Conditional Uses, Section 90-836 of the Wayne Municipal Code is amended to read as follows:

Sec. 90-836. Expiration of Exception Use Permits.

Within ~~three~~ **one** years of the approval, construction of the proposed site shall have commenced or the approval is void. ~~However, the applicant may file a letter requesting an extension prior to the expiration of the approval to the planning commission or the council, whichever granted the original permit. The planning commission or the council shall review all requests for extensions. They may approve for a specified period up to 12 months or disapprove, indicating their reasons for such an action. The planning commission's or the council's reasons for disapproval shall be forwarded to the applicant.~~

(b) After expiration, a new application is required if construction has not started and processed according to the provisions outlined in this chapter.

Section 2. The Planning Commission, at a public hearing held on on July 18, 2011, recommended approval hereof, based upon the "Finding of Fact" being staff's recommendation.

Section 3. That the original Section and all ordinances or parts of ordinances in conflict herewith are hereby amended and repealed.

Section 4. This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

PASSED AND APPROVED this 16th day of August, 2011.

THE CITY OF WAYNE, NEBRASKA,

By _____
Mayor

ATTEST:

City Clerk